



526 Rec'd PCT/PTO

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05 SEP 2000
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

FISH ET AL.

CASE NO.: DC-4511

APPLICATION NO.: 09/530,673
PCT/CA98/00875

GROUP ART UNIT: UNKNOWN

FILED: MAY 3, 2000

EXAMINER: UNKNOWN

FOR: NON-MASSING TOUGHENERS FOR
POLYAMIDES

RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

This is in response to the Notification of a Defective Response mailed July 5, 2000 (attached). The oath or declaration was deemed defective because co-inventor Robert Benham Fish was not included along with Chun Sing Wong. Applicants hereby attach a newly executed Declaration which includes both co-inventors Fish and Wong. Applicants also attached a Petition for Extension of Time for two (2) months to respond to the original Notification of Missing Requirements mailed May 26, 2000. (attached).

Respectfully submitted,

KEVIN S. DORSON
REGISTRATION NO.: 40,296

FOR
PATRICIA L. KELLY
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 39,247
TELEPHONE: 302-992-6743
FACSIMILE: 302-992-2953

Dated: 8-28-00
S:\User Folders\Coulbourn\dc4511response.doc

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, BOX PCT, WASHINGTON, D.C. 20231 ON August 28, 2000

NANCY FELAN
NAME OF PERSON SIGNING THIS CERTIFICATE

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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MAY 31 2000

U.S. APPLICATION NO. 09/250,678	FISH JR	FIRST NAMED APPLICANT	IR	ATTY. DOCKET NO. PC/9511
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PATENT RECORDS
CENTER

5071

PATRICIA L KELLY
E I DU PONT DE NEMOURS AND COMPANY
1007 MARKET STREET
WILMINGTON DE 19898

INTERNATIONAL APPLICATION NO. PCT/CA98/00076

I.A. FILING DATE 09/17/98	PRIORITY DATE 11/07/97
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05/26/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Patricia Kidwell
National Stage Processing
Paralegal Specialist
(703) 305-3558 3656

Due 6/26

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SEP 13 2000
10:10 AM MAIL ROOM

09/530673



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO. 09/530673	FISH JR	FIRST NAMED APPLICANT R	ADVISORY NO.
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DC 4511
 PATRICIA L KELLY
 E I DU PONT DE NEMOURS AND COMPANY
 1007 MARKET STREET
 WILMINGTON DE 19802

5611

INTERNATIONAL APPLICATION NO.
PCT/US98/00595

I.A. FILING DATE

09/17/98

PRIORITY DATE

11/07/97

JUL 11 2000

JUL 10 2000

07/05/00

PATENT RECORDS DATE MAILED:
 NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136(a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
- ☐ Applicant's response filed _____ was received in the Office on _____ which is after the expiration of the period for response set in the last Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
- ☒ Applicant's response filed 21 JUN 00 included the following items, the receipt of which is hereby acknowledged:
 - ☐ Copy of the international application in:
 - ☐ a non-English language.
 - ☐ English.
 - ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
 - ☒ Oath or Declaration of inventors(s).
 - ☐ in compliance with 37 CFR 1.497(a) and (b).
 - ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☐ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Preliminary amendment(s).
 - ☐ Information Disclosure Statement(s).
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification.
 - ☐ Statement Claiming Small Entity Status.
 - ☐ Priority Document.
 - ☐ Other:
- ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 26 MAY 2000 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

Paula Kidwell
 Telephone: (703) _____